

U.S. District Court – District of North Dakota

CRIMINAL JUSTICE ACT QUICK REFERENCE GUIDE

The Criminal Justice Act of 1964 established a plan for appointing and compensating lawyers to represent financially eligible defendants. The District of North Dakota thanks you for your service!
Detailed information can be found in the Court's [CJA Information Packet](#).

Appointed Attorney Compensation:

The CJA Act establishes maximum hourly rates and limits on total compensation for attorneys and service providers. These rates can be found online at <http://www.uscourts.gov/uscourts/cjaort/contacts.html#/page=16>

**Case maximums apply to compensation only,
not expenses.**

Non-compensable Hours:

You may not claim time spent filling out the voucher.
You may not claim time spent providing services of a personal nature, such as coordinating the care of the defendant's children.

**If you have any questions, please contact the
clerk's office: JoAnn in Fargo - 701-297-7000 or
Lisa in Bismarck - 701-530-2300**

Reimbursable Expenses (examples):

- Computer Assisted Legal Research
- Telephone calls
- Copies
- Postage
- Actual travel expenses including meals, mileage, and actual parking costs

Non-Reimbursable Expenses (examples):

- General office overhead, including rent and secretarial expenses
- Items of a personal nature, including clothing and haircuts for defendants
- Printing briefs
- Alcoholic beverages
- Parking fines or traffic violations

Some Useful Websites:

ND CJA: <http://www.ndd.uscourts.gov>

National CJA Voucher Reference Tool:
<http://www.uscourts.gov/uscourts/cjaort/index.html>

Office of Defender Services: <http://fd.org/>

CURRENT RATES AND MAXIMUMS

Attorney Case Compensation Max.	Current	Prior to 1/1/10
Felony	\$9,700	\$8,600
Misdemeanor	\$2,800	\$2,400
Appeal	\$6,900	
Hourly Compensation Rate	Current	Prior to 1/1/10
In-Court & Out-of-Court	\$125	\$110
Investigative, Expert, and Other Service Providers	Current	Prior to 5/27/10
With Prior Authorization	\$2,400	\$1,600
Without Prior Authorization	\$800	\$500

Vouchers:

- Time must be in tenths of an hour
- Services and expenses must be itemized by date and categorized
- Supporting documentation must be attached, including receipts for expenses over \$50
- Justification for any voucher over the statutory maximum must be included
- Vouchers must be submitted no later than 45 days after the final disposition of the case
- Completed vouchers and worksheets should be mailed to:

Office of the Clerk
U.S. District Court
655 1st Ave. North
Suite 130
Fargo, ND 58102

Office of the Clerk
U.S. District Court
PO Box 1193
Bismarck, ND 58502

**Fillable time worksheets are available on
our website!**

Travel Guidelines:

- Mileage is reimbursed at the current GSA rate <http://www.gsa.gov/portal/content/100715>
- Travel expenses are reimbursed at the actual expense, not to exceed the current per diem rate <http://www.gsa.gov/portal/category/21287>
- You are eligible for the government rate!
- Prior authorization is needed to travel outside the District of North Dakota
- Contact the Clerk's Office if you anticipate air travel

Interim Payment:

- The presiding judge may authorize interim payment to counsel
- Submit a completed CJA 20 indicating the dates of service in Block 19 and check "Interim Payment" in Block 22

**Attorneys are responsible for updating their
Payee Registration Form when their payment
information changes (i.e., change of address,
change of law firm, change of name).
Keep your information current to minimize
payment delay.**

Investigative, Expert, and Other Service Providers:

- CJA 21 Forms are available for claims
- Travel guidelines are the same as for attorneys
- Vouchers must be signed by the expert and certified by the attorney that the services were received
- Paralegals are considered to be service providers and claims must be made on a CJA 21, not as an expense on the attorney's CJA 20
- Services must be itemized
- Prior approval is required from the District Judge and the Chief Judge of the Circuit if a claim is expected to exceed the statutory maximum

Subpoenas:

- The "Criminal Pretrial Order and Jury Trial Notice" authorizes a defendant's application for the issuance and service of subpoenas
- The subpoena must be completed by the requesting party and must contain the following: (1) case name, (2) case number, (3) last known residential address of the party being subpoenaed
- **The U.S. Marshal is unable to serve a subpoena without a residential address.**
- Counsel must deliver the original and two copies of the completed subpoenas directly to the U.S. Marshal **for service no later than ten (10) court days before trial**

**Case Budgets should be submitted for all cases
expected to exceed \$30,000 in attorney and
expert compensation**

Transcripts:

- If transcripts are needed, a CJA 24 must be completed for each Court Reporter
- Do not pay for the transcript out of pocket. Transcripts will not be reimbursed as an expense on a CJA 20 as an expense

